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EXAMINER

BOYCE, ANDRE D

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The time period for reply, if any, is set in the attached communication.



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**BEFORE THE BOARD OF PATENT APPEALS
AND INTERFERENCES**

Application Number: 10/032,363
Filing Date: December 21, 2001
Appellant(s): CASATI ET AL.

John P. Wagner Jr.
For Appellant

EXAMINER'S ANSWER

This is in response to the appeal brief filed March 4, 2008 appealing from the Office action mailed December 15, 2006.

(1) Real Party in Interest

A statement identifying by name the real party in interest is contained in the brief.

(2) Related Appeals and Interferences

The examiner is not aware of any related appeals, interferences, or judicial proceedings which will directly affect or be directly affected by or have a bearing on the Board's decision in the pending appeal.

(3) Status of Claims

The statement of the status of claims contained in the brief is correct.

(4) Status of Amendments After Final

The appellant's statement of the status of amendments after final rejection contained in the brief is correct.

(5) Summary of Claimed Subject Matter

The summary of claimed subject matter contained in the brief is correct.

(6) Grounds of Rejection to be Reviewed on Appeal

The appellant's statement of the grounds of rejection to be reviewed on appeal is substantially correct. The changes are as follows: Appellant has not included the rejection of claim 9 under 35 U.S.C. 103(a) as being unpatentable over Casati et al

(eFlow: a Platform for Developing and Managing Composite e-Services, April 2000), in view of Ramanathan et al (USPN 6,182,136). However, Appellant has indicated that the “...dependent claims include all of the limitations of their respective independent claims. Further, these dependent claims include additional limitations. Therefore, the dependent claims should be patentable for at least the reasons that their respective independent claims are patentable.” See Amended Appeal Brief filed March 4, 2008, page 11, last full paragraph.

(7) Claims Appendix

The copy of the appealed claims contained in the Appendix to the brief is correct.

(8) Evidence Relied Upon

eFlow: a Platform for Developing and Managing Composite e-Services, April 2000

US 2002/0161688	Stewart et al	10-2002
USPN 6,182,136	Ramanathan et al	01-2001

(9) Grounds of Rejection

The following ground(s) of rejection are applicable to the appealed claims:

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 1-5, 7, 8, 10-14, 16-21, and 23 are rejected under 35 U.S.C. 102(b) as being anticipated by Casati et al (eFlow: a Platform for Developing and Managing Composite e-Services, April 2000).

As per claim 1, Casati et al disclose method for performing a context-dependent service comprising (i.e., service provider selects and invokes proper composite service, based up context of customer request, ¶ 8): executing a composite service (i.e., composite e-services, ¶ 5); utilizing a context repository to store context information for a user (i.e., data type repository, ¶ 32), wherein said context information is automatically detected without requiring user interaction (i.e., dynamic process evolution, wherein for example, the user has booked a flight with an air carrier hit by a strike and eFlow automatically detects the airline strike, i.e., context information, and defines a new process, ¶ 27) and wherein said context information is based on a present user location (i.e., composite service based on customer current location, ¶ 8) accessing context information (i.e., customer data, including name, current address, and destination address, ¶ 9); and automatically incorporating said context information with said composite service (i.e., eMove collects data and notifies the change of address to all parties that have relations to the customer, ¶ 9).

As per claim 2, Casati et al disclose a node definitions repository; process definitions repository; and process execution data (i.e., eFlow provides a repository of processes, nodes, and data type definitions, ¶ 28).

As per claim 3, Casati et al disclose said composite service is an electronically available e-service (i.e., composite e-services, ¶ 5).

As per claim 4, Casati et al disclose said context information is related to a user (i.e., customer data, including name, current address, and destination address, ¶ 9).

As per claim 5, Casati et al disclose said context information is maintained in said context repository (i.e., data type repository, to allow the reuse of the same data type across different service nodes and processes, ¶ 32) includes context information based on a planned future user location (i.e., selecting and invoking the proper composite service based on destination of customer, ¶ 8).

As per claim 7, Casati et al disclose said context information is automatically incorporated with said composite service without requiring action by said user (i.e., most eMove services require general information related to a customer and may be reused directly from the data repository, ¶ 32).

As per claim 8, Casati et al does not explicitly disclose said context dependent service includes a (c)ontext-node (i.e., data collection node, ¶ 29)

Claims 10-14 and 16 are rejected based upon the rejections of claims 1-5 and 7, respectively, since they are the computer system claims corresponding to the method claims.

Claims 17-21 and 23 are rejected based upon the rejections of claims 1-5 and 7, respectively, since they are the computer usable medium claims corresponding to the method claims.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 6, 15, and 22 are rejected under 35 U.S.C. 103(a) as being unpatentable over Casati et al (eFlow: a Platform for Developing and Managing Composite e-Services, April 2000), in view of Stewart et al (US 2002/0161688).

As per claim 6, Casati et al does not explicitly disclose said context repository is maintained and updated by: a semantic context broker; an application monitor; a device monitor; and an environment monitor. Stewart et al disclose a unified modeling language (i.e., semantic context broker) used to populate repositories with activity diagrams, state charts, and workflow models, wherein the repositories are read at run-time by various components (i.e., an application monitor; a device monitor; and an environment monitor), including off-the-shelf configuration/revision tools (¶ 0315). Both Casati et al and Stewart et al are concerned with effective workflow management, therefore it would have been obvious to one having ordinary skill in the art at the time the invention was made to include context repository is maintained and updated by: a semantic context broker; an application monitor; a device monitor; and an environment monitor in Casati et al, as seen in Stewart et al, as an efficient means of updating the repository via a

method that can take advantage of off-the-shelf management tools (see Stewart et al, ¶ 0315), making the Casati et al system more robust and flexible.

Claim 15 is rejected based upon the rejection of claim 6, since it is the computer system claim corresponding to the method claim.

Claims 22 is rejected based upon the rejection of claim 6, since it is the computer usable medium claim corresponding to the method claim.

Claim 9 is rejected under 35 U.S.C. 103(a) as being unpatentable over Casati et al (eFlow: a Platform for Developing and Managing Composite e-Services, April 2000), in view of Ramanathan et al (USPN 6,182,136).

As per claim 9, Casati et al does not explicitly disclose said c-node is executed by selecting a process execution time node to be invoked, based on context information. Ramanathan et al disclose defining nodes of various types and indicating their associated dependencies among the nodes (column 8, lines 5-11). Both Casati et al and Ramanathan et al disclose services and service elements that are cooperative in execution of a core service, therefore it would have been obvious to one having ordinary skill in the art at the time the invention was made to include defining nodes of various types and indicating their associated dependencies in Casati et al, as seen in Ramanathan et al, as an effective means of determining when a node is to be executed, making Casati et al more robust.

(10) Response to Argument

In the Appeal Brief, Appellant argues, with respect to independent claims 1, 10 and 17, that Casati et al does not teach utilizing a context repository to store context information for a user, wherein said context information is automatically detected without requiring user interaction.

The Examiner respectfully disagrees. Casati et al disclose a data type repository (¶ 32), including customer related information, thus indeed disclosing utilizing a context repository to store context information for a user. In addition, Casati et al disclose a dynamic process evolution, wherein for example, the user has booked a flight with an air carrier hit by a strike and eFlow automatically detects the airline strike, i.e., context information, and defines a new process (¶ 27). Moreover, Casati et al disclose the eFlow model including a generic service node, wherein as a customer submits a service form, a new instance of the process is started and the list of selected services is passed as part of the process instance input parameter, in order to configure the generic service node (¶¶ 22-23). As a result, the generic service node is automatically configured based upon the context information detected by the eFlow model with no further user interaction. As such, Casati et al indeed disclose wherein said context information is automatically detected without requiring user interaction.

11) Related Proceeding(s) Appendix

No decision rendered by a court or the Board is identified by the examiner in the Related Appeals and Interferences section of this examiner's answer.

For the above reasons, it is believed that the rejections should be sustained.

Respectfully submitted,

/Andre Boyce/

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May 24, 2008

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